

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WISCONSIN**

BRIEFING GUIDELINES

ARGUMENT. The matter being briefed will be considered and decided by the court without oral argument unless a request (motion) for oral argument is filed by either party. Requests must be filed in writing and should state the reasons why oral argument is necessary, specifying those matters which the party thinks cannot be adequately presented by briefs and affidavits. The court will then decide and notify the parties whether oral argument will be sufficiently helpful to justify the expenditure of the court's time.

BANKRUPTCY APPEALS. Bankruptcy Rule 8009 governs the filing of briefs. Briefing commences with the date of docketing in the district court.

BILL OF COSTS. Objections to the Bill of Costs and brief in opposition should be filed jointly. If opposition is filed, the moving party must respond with a brief in support and the opponent a reply. This matter is normally considered and decided by the clerk without oral argument. The clerk may hold a hearing if, based on the briefs or other materials submitted by the parties, the clerk decides that there are issues present which cannot be adequately presented by briefs and affidavits. Fed. R. Civ. P. 54(d); 28 U.S.C. § 1920.

MOTIONS FOR SUMMARY JUDGMENT. Specific procedures for summary judgment motions before Judge Crabb and Judge Shabaz are available at www.wiwd.uscourts.gov.

MOTIONS PURSUANT TO Fed. R. Civ. P. 12(b)(6) or 12(c). If either party desires to present to the court matters outside of the pleadings, leave to do so must be obtained from the court by filing a request in motion format.

MOTIONS - ALL OTHER. Affidavits may accompany briefs. Supporting or opposing affidavits shall be made on personal knowledge, shall set forth such facts as would be admissible in evidence, and shall show affirmatively that the affiant is competent to testify to the matters stated therein. Affidavits may be supplemented or opposed by depositions and answers to interrogatories or further affidavits.

SOCIAL SECURITY APPEALS. Section 405(g), Title 42 of the United States Code, provides the nature and standard of review by this court. Plaintiff's brief in support should specifically state the grounds of objection to the decision below and the form of relief sought. The briefs shall include a discussion of each issue, together with the appropriate citations of authority.

All references to the claimant's medical symptoms and conditions must be in clear, concise layman's language. Medical symptoms and conditions are to be included only if relevant to the issues presented. Medical and scientific language, terms, and classifications shall be used parenthetically or in a footnote following the common layman's language referring to such language, term, or condition.